

REMARKS

The application is believed to be in condition for allowance.

Claims 1, 5, 7, and 9-23 were examined.

There are no pending formal matters.

Claims 1, 5, 7, 9-13, and 15-23 were rejected as obvious over RUSSELL-FALLA et al. 6,266,664 in view of RASSOOL 7,043,473.

Claim 15 was rejected in further view of BAKER et al. 5,678,041.

Each rejection relies on RASSOOL.

RASSOOL is not prior art to the present invention.

RASSOOL claims priority back to provisional application No. 60/252,415 filed November 22, 2000. It should be noted that the provisional application may not include disclosure of all the RASSOOL discloses. Nonetheless, the earliest priority available to RASSOOL is November 22, 2000.

The present application is a National Stage of PCT/AU00/00158. Note that the PCT application was filed March 6, 2000. Thus, without more, applicants are entitled to at least March 6, 2000 as a priority date.

March 6, 2000 is prior to RASSOOL's November 22, 2000 and therefore RASSOOL is not prior art as the present PCT antedates RASSOOL.

Withdrawal of both rejections is therefore solicited.
Allowance of all the claims is also solicited.

RUSSELL-FALLA

The Official Action also seems to misconstrue RUSSELL-FALLA.

In relation to the location of the proxy server (Figure 1, item 10), note that proxy server 10 is not a discreet physical item as would be required by the claims. See that column 4, line 61 to column 5, line 4 clearly discloses that the server 10 is incorporated into a computer program and that the software includes a proxy server 10 that works upstream of and in cooperation with a web browser client program.

The proxy server is thus a software module of the computer program. Further, in column 6, lines 3-9, the proxy server as described, intercepts a target page which has been downloaded to a user computer. As such, the target page must have been received by and would be cached in the hard disk or memory of the user computer before the interception by the computer program. Accordingly, such a computer program residing in the user computer would not satisfy the claimed feature of capturing network packets or fragments of said packets prior to reaching a remote user communications terminal.

Other features of the claimed invention are acknowledged by the Official Action to be missing from RUSSELL-FALLA. See, e.g., Official Action page 7, beginning at line 7;

page 10, last paragraph; and page 13, starting with the bottom three lines.

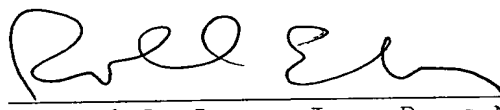
Further, the claims are believed non-obvious in that the Official Action acknowledges that RUSSELL-FALLA fails to disclose the use of transmission interaction characteristics including size of image transmission activities and, ratio of image to text transmission activities, for predicting content categories.

In light of the above remarks, the applicants respectfully submit the claims as presented are non-obvious. Therefore, reconsideration and allowance of all the claims are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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